

PART 724—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION**724.170 [Amended]****PART 731—CONTRACT COST PRINCIPLES AND PROCEDURES****731.205 [Amended]**

6 and 7. Subsection 731.205-6(d) is amended by removing "Foreign Service Officer Class FS-1" and "FS-1" and replacing it with "Executive Service level ES-6" and "ES-6" respectively.

8. Section 731.371(b) is amended by removing "Foreign Service Officer Class FS-1" and "FS-1" and replacing it with "Executive Service level ES-6" and "ES-6" respectively.

PART 752—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**752.7004 [Amended]**

9. Section 752.7004, paragraph (b)(5) is amended by removing the second "which" and replacing it with "such".

752.7035 [Amended]

10. Section 752.7035 is amended by removing "Office of External Affairs" wherever it appears and replacing it with "Legislative and Public Affairs (LPA)."

11. Appendix G to Chapter 7 is revised to read as follows:

Appendix G—Approval Procedures for Contractor Salaries**1. Purpose**

This Appendix provides guidelines for use when considering contractor salaries, and procedures for approval of contractor salaries exceeding the maximum salary level for Senior Executive Service level ES-6.

2. Procedures

(a) *General.* Personnel compensation negotiated and payable under USAID contracts should be at the minimum levels necessary to attract needed technical services in a competitive market. Rates should be determined by the market place where the types of services are obtained. Using such criteria, very few salaries should approach or exceed the ES-6 level. Actual discussions with contractors concerning salaries should be held only by persons authorized to negotiate and execute contracts (see (AIDAR) Appendix A to this Chapter).

(b) In accordance with 731.205-6, 731-371(b) and 731.772, approval of contractors salaries exceeding the maximum for Executive Service Level 6 are to be based upon a Memorandum from the technical office through the cognizant Assistant Administrator or Mission Director and the Contracting Officer to the Procurement Executive for approval. The reasonableness of proposed salaries exceeding the ES-6 level must be evaluated by the appropriate technical office in terms of the technical

competence required, scope of supervisory responsibilities involved, and the relationship of the proposed salary level to the individual's customary salary level for similar work. The Contracting Officer shall clear the Memorandum if he/she concurs with the action. If he/she does not concur, a memorandum explaining the reasons shall be attached to the approval request and forwarded with it to the Procurement Executive. Increases in the ES-6 salary levels are not, and shall not be by themselves, the basis for upward salary increases of institutional contractor employees. Proposals for revisions should be considered normally when contracts are renewed or amended, and must be fully reviewed and negotiated to ensure that increases are not automatically granted without corresponding increases in the quality or quantity of services rendered. It is the Contracting Officer's responsibility to scrutinize increases as a matter of good business practice whenever USAID negotiations deal with any salaries payable under contracts. Salaries below the ES-6 maximum level should also be fully justified, even though formal approval procedures may not be involved. The justification should be a part of the negotiation memorandum and placed in the contract file.

Dated: December 12, 1994.

Michael D. Sherwin,

Procurement Executive.

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DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration****49 CFR Parts 571, 575**

[Docket No. 93-81, Notice 03]

RIN 2127-AE70

Federal Motor Vehicle Safety Standards, New Pneumatic Tires; Consumer Information Regulations Uniform Tire Quality Grading Standards

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Final rule; correction.

SUMMARY: This document corrects test inflation pressures associated with the 350 kilopascal (kPa) (51 pounds per square inch (psi)) maximum inflation pressure for certain passenger car tires specified in the Uniform Tire Quality Grading Standards and the safety standard on new pneumatic tires. NHTSA makes this correction in response to a submission from the Rubber Manufacturers Association.

DATES: *Effective date:* The amendments in this correction document are effective March 3, 1995.

FOR FURTHER INFORMATION CONTACT:

Ms. Terri Droneburg, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street SW., Room 5307, Washington, DC 20590. Ms. Droneburg's number is: (202) 366-4803.

SUPPLEMENTARY INFORMATION: Federal Motor Vehicle Safety Standard No. 109, *New Pneumatic Tires*, specifies requirements for passenger car tires for strength, endurance, high speed performance, and bead unseating resistance. In addition, the standard defines tire load ratings and specifies dimensions, maximum inflation pressures, and labeling requirements.

Paragraph S4.2.1(b) of the standard specifies separate maximum permissible inflation pressures for CT tires (pneumatic tires with an inverted flange tire and rim system in which the rim is designed with rim flanges pointed radially inward and the tire is designed to fit on the underside of the rim in a manner that encloses the rim flanges inside the air cavity of the tire), and for tires other than CT tires (non-CT tires). In effect, S4.2.1(b) proscribes maximum permissible inflation pressures other than the ones listed.

A manufacturer's selection of a maximum permissible inflation pressure for a given tire has the effect under the Standard of determining the pressure at which that tire will be tested for compliance. For each maximum permissible inflation pressure, Table II of Appendix A of Standard No. 109 specifies pressures at which compliance tests will be conducted. Table II specifies one pressure for tests of physical dimensions, bead unseating, tire strength, and tire endurances, and specifies another pressure for the high speed performance test.

A manufacturer's selection of a maximum permissible inflation pressure for a given tire also has the effect under the Standard of determining the pressure at which that tire will be tested under the Uniform Tire Quality Grading Standards (UTQGS) (49 CFR 575.104). The UTQGS specify that passenger car tires be labeled with information about the relative performance of the tires in the areas of treadwear, traction, and temperature resistance. Table 1 of the UTQGS specifies, for each maximum permissible inflation pressure, pressures at which compliance tests for treadwear and temperature resistance will be conducted.

On August 1, 1994, NHTSA published a final rule (59 FR 38938) amending Standard No. 109 and the UTQGS by making changes permitting the manufacture and sale of CT and non-CT

passenger car tires that have a maximum tire inflation pressure of 350 kiloPascals (kPa) (51 pounds per square inch (psi)). The final rule took effect on August 31, 1994. Previously, only CT tires were permitted a maximum tire inflation pressure of 350 kPa.

In a submission that it characterized as a "petition for reconsideration," the Rubber Manufacturers Association (RMA) noted typographical errors in the August 1994 final rule. The RMA noted both Table II *Test Inflation Pressures* of Appendix A of Standard No. 109, and Table 1 *Test Inflation Pressures* in paragraph (g) of the UTQGS, specified incorrect pressures at which compliance tests would be conducted for 350 kPa tires other than CT tires. The RMA stated that for testing of 350 kPa non-CT tires, in Table II of Appendix A of Standard No. 109, the test pressure for the tests of physical dimensions, bead unseating, tire strength, and tire endurance should be 180 kPa, and the test pressure for the high speed performance test should be 220 kPa. The RMA also stated that for 350 kPa non-CT tires, in Table 1 in paragraph (g) of the UTQGS, the test pressure for the treadwear test should be 180 kPa and the test pressure for the temperature resistant test should be 220 kPa.

NHTSA agrees that RMA's recommended changes are correct. The final rule erroneously specified identical test pressures for testing of both 350 kPa CT tires and 350 kPa non-CT tires. The test pressures specified in the final rule for 350 kPa CT tires were correct, but the test pressures for 350 kPa non-CT tires were not. Accordingly, in this document, NHTSA corrects Table II of Standard No. 109 and Table I of the UTQGS to specify the correct test pressures for 350 kPa non-CT tires.

The changes in this document impose no duties or responsibilities on any party, nor do they make any substantive changes to Standard No. 109 or the UTQGS. The changes simply ensure that Standard No. 109 and the UTQGS read as the agency intended.

Since the changes are technical in nature and have no substantive impact, it is found that notice and public comment are unnecessary. Further, because the amendments are technical in nature, it is found for good cause shown that an effective date earlier than 180 days after issuance of the rule is in the public interest, and the amendments are effective upon publication in the Federal Register.

List of Subjects

49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

49 CFR Part 575

Consumer protection, Labeling, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

In consideration of the foregoing, 49 CFR parts 571 and 575 are corrected by making the following correcting amendments:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for Part 571 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

2. Section 571.109 is amended by revising Table II of Appendix A to read as follows:

§ 571.109 Standard 109, New Pneumatic Tires.

* * * * *

TABLE II.—TEST INFLATION PRESSURES

[Maximum permissible inflation pressure to be used for the following test]

Test type	Tires other than CT tires									CT tires			
	psi				kPa					kPa			
	32	36	40	60	240	280	300	340	350	290	300	350	390
Physical dimensions, bead unseating, tire strength, and tire endurance	24	28	32	52	180	220	180	220	180	230	270	230	270
High speed performance	30	34	38	58	220	260	220	260	220	270	310	270	310

PART 575—CONSUMER INFORMATION REGULATIONS

1. The authority citation for part 575 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, and 30123; delegation of authority at 49 CFR 1.50.

§ 575.104 [Amended]

2. Section 575.104(g) is amended by revising Table 1 as follows:

(g) * * *

TABLE I.—TEST INFLATION PRESSURES

[Maximum permissible inflation pressure for the following test]

Test type	Tires other than CT tires									CT tires			
	psi				kPa					kPa			
	32	36	40	60	240	280	300	340	350	290	330	350	390
Treadwear test	24	28	32	52	180	220	180	220	180	230	270	230	270
Temperature resistant test	30	34	38	58	220	260	220	260	220	270	310	270	310

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Issued on: February 24, 1995.

Ricardo Martinez,
Administrator.

[FR Doc. 95-5238 Filed 3-2-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 950206041-5041-01; I.D. 022795A]

Groundfish of the Gulf of Alaska; Pollock in the Eastern Gulf

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Eastern Regulatory Area in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the total allowable catch for pollock in this area.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), February 27, 1995, until 12 noon A.l.t., December 31, 1995.

FOR FURTHER INFORMATION CONTACT: Michael L. Sloan, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by the NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

The initial specification for pollock TAC in the Eastern Regulatory Area in the GOA was established by final initial specifications (60 FR 8740, February 14, 1995) as 3,360 metric tons (mt), determined in accordance with § 672.20(c)(1)(ii)(A).

The Director of the Alaska Region, NMFS (Regional Director), has determined, in accordance with § 672.20(c)(2)(ii), that the 1995 final interim specification of pollock in the Eastern Regulatory Area in the GOA soon will be reached. The Regional Director established a directed fishing allowance of 3,000 mt, and has set aside the remaining 360 mt as bycatch to support other anticipated groundfish fisheries. The Regional Director has

determined that the directed fishing allowance has been reached.

Consequently, NMFS is prohibiting directed fishing for pollock in the Eastern Regulatory Area in the GOA.

Directed fishing standards for applicable gear types may be found in the regulations at § 672.20(g).

Classification

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: February 27, 1995.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-5219 Filed 2-27-95; 4:41 pm]

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50 CFR Parts 672 and 675

[Docket No. 900833-1095; I.D. 021595C]

Groundfish of the Gulf of Alaska; Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Bycatch Rate Standards for the First Half of 1995

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Pacific halibut and red king crab bycatch rate standards; response to comments.

SUMMARY: NMFS responds to a comment submitted on Pacific halibut and red king crab bycatch rate standards for the first half of 1995. NMFS previously published these bycatch rate standards in the Federal Register for comment as required under regulations implementing the vessel incentive program (VIP). No change in the Pacific halibut or red king crab bycatch rate standards is specified as a result of this action.

EFFECTIVE DATE: The effective date of the January 12, 1995, final rule is 12:01 a.m., Alaska local time (A.l.t.), January 20, 1995, through 12 midnight, A.l.t., June 30, 1995.

FOR FURTHER INFORMATION CONTACT: Susan J. Salveson, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Regulations at §§ 672.26 and 675.26 implement a VIP to reduce halibut and red king crab bycatch rates in the groundfish trawl fisheries. Regulations at §§ 672.26(c) and 675.26(c) require that halibut and red king crab bycatch rate standards for each fishery included

under the incentive program be published in the Federal Register.

NMFS published Pacific halibut and red king crab bycatch rate standards for the first half of 1995 in the Federal Register on January 12, 1995 (60 FR 2905), and solicited comments from the public until January 23, 1995. One letter of comment was received within the comment period that is summarized in the Response to Comments section, below. After review of the comment received, NMFS determined that no change to the bycatch rate standards for the first half of 1995 is warranted. Additional information on the derivation of the 1995 bycatch rate standards is contained in the January 12, 1995, publication of these standards in the Federal Register.

Response to Comments

One letter of comment was received within the comment period that ended January 23, 1995. A summary of the comment and NMFS' response follows.

Comment. Given an agreement among many vessel operators to use large mesh trawl gear in the Bering Sea rock sole fishery to reduce groundfish discard amounts, NMFS should make allowances for vessels that have higher halibut and red king bycatch rates if the higher rates are a result of decreased discard amounts of groundfish as a result of large mesh trawl gear, rather than increased amounts of halibut or crab.

Response. The North Pacific Fishery Management Council (Council) reviewed current and historical halibut and red king crab bycatch rates when recommending that NMFS implement the VIP bycatch rate standards for the first half of 1995 that were published in the Federal Register on January 12, 1995. When recommending these rates, the Council was aware of the fact that some vessels may use large mesh trawl gear and that the resulting bycatch rates of halibut and red king crab could increase. However, no information was available on whether the use of large mesh trawl gear would result in vessel bycatch rates that exceed the recommended VIP standard established for the "other trawl" fishery category, which includes the rock sole fishery. The Council, therefore, recommended to maintain the current VIP bycatch rate standards until information is available on which to base a change in these standards, and regulatory changes are implemented to allow a separate bycatch rate standard for the rock sole fishery.

Voluntary industry efforts to reduce groundfish discard amounts are laudable. Nonetheless, NMFS does not